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HMD 2000-1-CIPB

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Thomas N. Giaccherini, et al.

Examiner: Kizou, Hassan

Serial No.: 09/833,094

Group Art Unit: 2600

Title: **Method for Utilizing
Excess Communications Capacity**

Filed: 10 April 2001

CERTIFICATE OF MAILING UNDER 37 C.F.R. SECTION 1.8

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Date 2 Dec 02

Thomas N. Giaccherini, Registration No. 31,075

SECOND DISCLOSURE STATEMENT

The Assistant Commissioner for Patents
Box DD
Washington, D.C. 20231

Sir:

The Applicants submit this Second Disclosure Statement and completed Form PTO/SB/08A for their pending U.S. Patent Application.

Second Disclosure Statement for U.S. Patent Application entitled
Method for Utilizing Excess Communications Capacity
U.S.S.N. 09/833,094
HMD2000-1-CIPB

DISCLOSURE DOCUMENTS

U.S. Patent No. 5 406 626 issued to Ryan discloses a radio receiver for information dissemination using sub-carrier.

CERTIFICATION

Each item of information contained in this Second Information Disclosure Statement was discovered not more than three months prior to the filing of this Second Information Disclosure Statement. This Disclosure Statement is also being submitted before the receipt of the First Office Action for the present Application.

CONCLUSION

The Applicants submit that none of the documents described above disclose the Invention as claimed in the present Patent Application. The Applicants believe that no fee is required to submit this Second Disclosure Statement.

Respectfully submitted,

Thomas N. Giaccherini,

Applicants' Attorney

Registration No. 31,075

2 Dec 02.

Second Disclosure Statement for U.S. Patent Application entitled
Method for Utilizing Excess Communications Capacity
U.S.S.N. 09/833,094
HMD2000-1-CIPB

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Transmitted to the United States Patent Office
by facsimile on Monday, 2 December 2002
with a Rule 8 Certificate.

PTO/SB/08A (10-01)

Approved for use through 10/31/2002, OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449APTO		Complete If Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>		Application Number	09/833,094
		Filing Date	10 APR 01
		First Named Inventor	GIACCHERINI
		Art Unit	2600
		Examiner Name	KIZOU, HASSAN
Sheet	one	of	one
		Attorney Docket Number	HMD2000-1-CIPB

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS					
Examiner Initials	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code ³ -Number ⁴ - Kind Code ⁵ (if known)			

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See *Kinds Codes of USPTO Patent Documents* at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the Indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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